

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ENNIS LEE BROWN,

Plaintiff,

ORDER

v.

19-cv-870-wmc

MARY HANSON, *et al.*,

Defendants.

On April 7, 2023, the remaining defendants in this case filed a motion for summary judgment based on exhaustion (dkt. #47), and the court set April 28, 2023, as plaintiff's deadline to oppose that motion. Plaintiff has neither responded to that motion, nor has he communicated with the court that he intends to respond and needs additional time.

Instead, on May 12, 2023, the court received a submission from plaintiff in which he contends that officials at his institution are retaliating against him for pursuing this lawsuit by placing him in restrictive confinement and ignoring his self-harming behaviors. (See dkt. ##52, 51-1.) Plaintiff's submissions show that he has been recently disciplined and placed in restrictive housing after a self-harming incident. Those submissions do not show that prison officials currently are ignoring a substantial risk of serious harm to plaintiff such that court intervention is necessary. More importantly, plaintiff's remaining claims in this case are against Samantha Brown, Mary Hanson, and Laurie Neuroth, none of whom have been involved in the recent events plaintiff describes as retaliatory. Therefore, the court declines to intervene to provide plaintiff any relief.

As for defendants' motion, it appears to have merit. But before the court grants the motion and dismisses plaintiff's remaining claims in this lawsuit without prejudice, it will give

plaintiff one more opportunity to respond to the motion. **Plaintiff's deadline to respond to defendants' motion for summary judgment is now June 7, 2023.** If plaintiff fails to respond to defendants' motion by that deadline, the court will grant defendants' motion and his remaining claims in this lawsuit will be dismissed without prejudice.

Entered this 17th day of May, 2023.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge